

4-21-3

RCE/10229  
#18  
RCE  
KJ  
7/22/03

Express Mail Mailing Label No. EL 953995153US

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: **Box RCE**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

Application No.	09/932,754
Filing Date	August 17, 2001
First Named Inventor	Kamieniecki
Group Art Unit	2829
Examiner Name	Hollington, J.
Attorney Docket No.	QCS-001DV3

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

**RCE v. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEES AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

**1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- a.  Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on February 24, 2003 (copy enclosed).
- b.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- c.  Amendment/Response enclosed.
- d.  Affidavit(s)/Declaration(s) enclosed.
- e.  Information Disclosure Statement (IDS) enclosed.
  - i.  PTO-1449
  - ii.  Copies of IDS Citations
- f.  Other

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**2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

- a.  Small entity status
  - i.  was established in the prior nonprovisional application.
  - ii.  is established herewith by the enclosed written assertion of entitlement to small entity status.
- b.  A Petition and Fee for Extension of Time for \_\_\_\_\_ months up to and including \_\_\_\_\_ is enclosed herewith.
- c.  A check in the amount of \$ 375.00 is enclosed.
- d.  The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ \_\_\_\_\_, to Deposit Account No. 20-0531.
- e.  The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

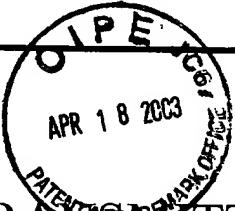
**3. MISCELLANEOUS**

a.  Return Receipt Postcard enclosed.  
b.  Other \_\_\_\_\_.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
<p>Direct all correspondence to: Patent Administrator Testa, Hurwitz &amp; Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100</p>	<p>Respectfully submitted,   Stephanie M. Zierten Atty/Agent for Applicant(s) Testa, Hurwitz &amp; Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>

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TRANSMITTAL  
FORM



Express Mail Label No. EL 953995153US

Application Serial Number	09/932,754
Filing Date	August 17, 2001
First Named Inventor	Kamieniecki
Group Art Unit	2829
Examiner Name	Hollington, J.
Attorney Docket No.	QCS-001DV3
Patent No.	Not yet applicable
Issue Date	Not yet applicable

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]	<input checked="" type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
<input checked="" type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Copy of the after-final amendment and response submitted February 24, 2003
<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations	<input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above		

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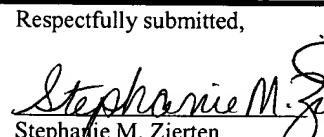
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SIGNATURE BLOCK

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

Date: April 18, 2003  
Reg. No. 52,397  
Tel. No.: (617) 310-8656  
Fax No.: (617) 248-7100

Respectfully submitted,  
  
 Stephanie M. Zierten  
 Atty/Agent for Applicant(s)  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110

## FEE TRANSMISSION

FY 2002

APR 18 2003

U.S. PATENT &amp; TRADEMARK OFFICE

Complete if Known	
Application Serial Number	09/932,754
Filing Date	August 17, 2001
First Named Inventor	Kamieniecki
Group Art Unit	2829
Examiner Name	Hollington, J.
Attorney Docket No.	QCS-001DV3

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## METHOD OF PAYMENT

- Payment Enclosed:  
 Check  Money Order  Other
- The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
  - Required Fees (copy of this sheet enclosed).
  - Additional fee required under 37 CFR 1.16 and 1.17.
  - Overpayment Credit.
- Applicant claims small entity status.

## FEE CALCULATION

## 1. FILING FEE

## Large Entity

Fee (\$)	Fee Description	Fee Paid
740	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 18.00 =	
Independent Claims	- 3 =		x \$ 84.00 =	
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$280.00 =	

## TOTAL:

## SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$ 0.00)

## 2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present	Rate	Fee Paid
Total 12	- 20 = 0		x \$ 18.00 =	0.00
Indep. 3	- 3 = 0		x \$ 84.00 =	0.00
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$280.00 =	

TOTAL: (\$0.00)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$0.00)

SUBTOTAL (3) (\$ 375.00)

SUBTOTAL (1) 0.00  
SUBTOTAL (2) 0.00  
SUBTOTAL (3) 375.00

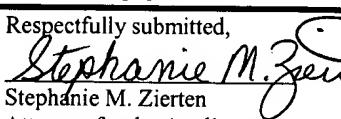
TOTAL (\$ 375.00)

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## SIGNATURE BLOCK

Respectfully submitted,  
  
 Stephanie M. Zierter  
 Attorney for the Applicants  
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 Boston, MA 02110